

Appln. No. 10/030,303

Attorney Docket No. 10541-927

II. Remarks

Claims 18-43 are pending in the application. Claims 19-23 and 32-36 have been cancelled. Claims 18, 28, 31, 37 and 41 have been amended. No new claims have been added.

Rejections Under 35 U.S.C. § 103

Claims 8-26, 29-39 and 42-43 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,243,456 issued to Cesano (Cesano) and further in view of U.S. Patent No. 4,991,478 issued to Riley (Riley).

Cesano discloses a molding press having two molding plates each of which includes one component of a pair of cutting means. A cutting member is arranged around and connected with the upper mold member at the end of a slightly recessed outer edge (see column 6, lines 43-46). A cutting edge is provided on annular member 15 and a shearing edge is provided on the lower mold member (see Figure 1).

Riley discloses a blade assembly positionable at least partially along a line defined by contour to be trimmed. The blade assembly includes a plurality of blade segments arranged side-by-side and along the line defined by the contour. A means is provided for sequentially pressing the blade segments into the cutting contact with the work piece to cause the blade segments to trim the work piece (see column 1, lines 64-68 and column 2, lines 1-3). As shown in Figures 2 and 3, the blade fixture is connected to actuators through a linkage. The linkage is coupled to the coupling pin. The blade fixture has a body portion which is pivoted for rotation about the pivot pin (see column 5, lines 9-13).

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The present invention provides an intermediate member that rotatably secures the pivotable member, as now claimed in claims 18 and 31. Further, a jack is provided that is fixedly mounted at a first end to the intermediate member and pivotably mounted at a second end to the pivotable member, as also now claimed in claims 18 and 31.

In order to establish a *prima facie* case of obviousness, each and every element of the claim must be taught or suggested in at least one of the cited references. However, the cited references in the instant case do not disclose a pivotable member mounted to an intermediate member that is in turn mounted to a die and a jack mounted to the pivotable member at a first end and to the intermediate member of the second end. Riley only discloses a jack or actuator mounted to a frame at a first end and to the pivotable member at a second end. Riley does not teach or suggest an intermediate member in addition to the jack, wherein the intermediate member pivotably secures the pivotable member to the mould. There is no disclosure whatsoever in Riley or Cesano of an intermediate member for pivotably securing the pivotable member. Therefore a *prima facie* case of obviousness has not been established by the Examiner through the use of the cited references. Accordingly, Applicants respectfully request allowance of claims 18 and 31 as these claims are patentable over Cesano and Riley taken together or separately.

With respect to claims 24-26, 29-30, 37-39, and 42-43, these claims are dependent on at least claims 18 and 31. Therefore, these claims are patentable over the cited references for at least the same reasons as given in support of claims

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18 and 31. Accordingly, Applicants respectfully request allowance of claims 24-26, 29-30, 37-39, and 42-43.

Claims 27-28 and 40-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cesano and Riley as applied to the claims above, and further in view of JP 63-199628 to Kasai Kogyo Co.

Kasai Kogyo Co. discloses a method for cutting the surplus of a trim part of an automobile. Top and bottom forces are disclosed. A cutting blade is also disclosed that approaches the bottom force for trimming a core material and a skin material. However, Kasai does not disclose a pivotable member mounted to an intermediate member and a jack also mounted to the intermediate member and to the pivotable member as now claimed, in claims 18 and 31.

Claims 27-28 and 40-47 are dependent on claims 18 or 31 and therefore are patentable for at least the reasons given above in support of claims 18 and 31. Accordingly, Applicants respectfully request allowance of claims 27-28 and 40-47.

SUMMARY

Pending Claims 18, 24-31 and 37-43 as amended are patentable. Applicants respectfully request the Examiner grant early allowance of these claims. The Examiner is invited to contact the undersigned attorneys for the Applicants via telephone if such communication would expedite this application.

February 2, 2006
Date

Respectfully submitted,


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